

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

v.

Criminal No. 08-217 (ADC)

[3] RACIEL GARCIA,  
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Camille Vélez-Rivé on January 13, 2009. (Docket No. 99). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Raciel García** be adjudged guilty of the offenses charged in Count One of the Indictment (T. 18, U.S.C. § 1347 and 1349) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

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Accordingly, a judgment of conviction is to be entered as to Count One of the Indictment in the above-captioned case.

**The sentencing hearing is set for May 13, 2009 at 5:00 p.m.**

**IT IS SO ORDERED.**

At San Juan, Puerto Rico, this 11<sup>th</sup> day of February, 2009.

**S/AIDA M. DELGADO-COLON**  
**United States District Judge**